

Senate Amendment 5404

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1 1 Amend Senate File 2258 as follows:
1 2 #1. By striking everything after the enacting
1 3 clause and inserting the following:
1 4 <Section 1. Section 331.605, subsection 6, Code
1 5 2003, is amended to read as follows:
1 6 6. For filing an application for the license to
1 7 marry, thirty-five dollars, which includes payment for
1 8 one certified copy of the original certificate of
1 9 marriage, to be issued following filing of the
1 10 original certificate of marriage, four dollars of
1 11 which shall be retained by the county pursuant to
1 12 subsection 5. For issuing an application for an order
1 13 of the district court authorizing the validation of a
1 14 license to marry before the expiration of ~~three the~~
1 15 number of days specified in section 595.4, from the
1 16 date of issuance of the license, five dollars. The
1 17 district court shall authorize the early validation of
1 18 a marriage license without the payment of any fees
1 19 imposed in this subsection upon showing that the
1 20 applicant is unable to pay the fees.
1 21 Sec. 2. NEW SECTION. 595.3B APPLICATION ==
1 22 PREMARITAL EDUCATION.
1 23 1. An application form for a marriage license
1 24 shall have attached a certificate form to be used by
1 25 the parties to document completion of premarital
1 26 education by the parties. The certificate shall be
1 27 completed by the parties and signed by the person who
1 28 provided the premarital education. The certificate
1 29 shall be filed with the verified application in
1 30 accordance with section 595.4. The certificate form
1 31 shall require provision of all of the following
1 32 information:
1 33 a. The name of the person providing the premarital
1 34 education and the person's signature verifying
1 35 completion of the premarital education by the parties.
1 36 b. The number of hours of premarital education
1 37 completed.
1 38 2. Only premarital education provided by the
1 39 following persons shall be accepted to document
1 40 completion under this section:
1 41 a. A person ordained or designated as a leader of
1 42 a party's religious faith or the person's designee.
1 43 b. A person licensed to practice psychology
1 44 pursuant to chapter 154B.
1 45 c. A person licensed to practice social work as a
1 46 licensed master social worker or a licensed
1 47 independent social worker pursuant to chapter 154C.
1 48 d. A person licensed to practice marital and
1 49 family therapy or mental health counseling pursuant to
1 50 chapter 154D.
2 1 e. An advanced registered nurse practitioner
2 2 licensed pursuant to chapter 152 who specializes in
2 3 adult psychiatric services.
2 4 Sec. 3. Section 595.4, Code 2003, is amended to
2 5 read as follows:
2 6 595.4 AGE AND QUALIFICATION == VERIFIED
2 7 APPLICATION == WAITING PERIOD == ~~EXCEPTION~~ EXCEPTIONS.
2 8 1. Previous Prior to the issuance of any license
2 9 to marry, the parties desiring the license shall sign
2 10 and file a verified application with the county
2 11 registrar which application either may be mailed to
2 12 the parties at their request or may be signed by them
2 13 at the office of the county registrar in the county in
2 14 which the license is to be issued. The application
2 15 shall include the social security number of each
2 16 applicant and shall set forth at least one affidavit
2 17 of some competent and disinterested person stating the
2 18 facts as to age and qualification of the parties.
2 19 Upon the filing of the application for a license to
2 20 marry, the county registrar shall file the application
2 21 in a record kept for that purpose and shall take all

2 22 necessary steps to ensure the confidentiality of the
2 23 social security number of each applicant. All
2 24 information included on an application may be provided
2 25 as mutually agreed upon by the division of records and
2 26 statistics and the child support recovery unit,
2 27 including by automated exchange.

2 28 2. Upon receipt of a verified application, the
2 29 county registrar may issue the license ~~which shall not~~
2 30 ~~become valid until the expiration of three days after~~
2 31 ~~the date of issuance of the license.~~ If the license
2 32 has not been issued within six months from the date of
2 33 the application, the application is void.

2 34 3. A license issued under subsection 2 shall
2 35 become valid as follows:

2 36 a. If the parties desiring the license have
2 37 participated in premarital education and submit
2 38 documentation verifying completion of premarital
2 39 education in accordance with section 595.3B, the
2 40 license shall become valid upon the expiration of
2 41 three days after the date of issuance of the license.

2 42 b. If the parties desiring the license have not
2 43 participated in premarital education or do not submit
2 44 documentation verifying completion of premarital
2 45 education in accordance with section 595.3B, the
2 46 license shall not become valid until the expiration of
2 47 twenty days after the date of issuance of the license.

2 48 4. A license to marry may be validated prior to
2 49 the expiration of ~~three~~ the number of days specified
2 50 in subsection 3 from the date of issuance of the
3 1 license in cases of emergency or extraordinary
3 2 circumstances. An order authorizing the validation of
3 3 a license may be granted by a judge of the district
3 4 court under conditions of emergency or extraordinary
3 5 circumstances upon application of the parties filed
3 6 with the county registrar. ~~No An order may shall not~~
3 7 be granted unless the parties have filed an
3 8 application for a marriage license in a county within
3 9 the judicial district. An application for an order
3 10 shall be made on forms furnished by the county
3 11 registrar at the same time the application for the
3 12 license to marry is made. After examining the
3 13 application for the marriage license and issuing the
3 14 license, the county registrar shall refer the parties
3 15 to a judge of the district court for action on the
3 16 application for an order authorizing the validation of
3 17 a marriage license prior to expiration of ~~three~~ the
3 18 number of days specified in subsection 3 from the date
3 19 of issuance of the license. The judge shall, if
3 20 satisfied as to the existence of an emergency or
3 21 extraordinary circumstances, grant an order
3 22 authorizing the validation of a license to marry prior
3 23 to the expiration of ~~three~~ the number of days
3 24 specified in subsection 3 from the date of issuance of
3 25 the license to marry. The county registrar shall
3 26 validate a license to marry upon presentation by the
3 27 parties of the order authorizing a license to be
3 28 validated. A fee of five dollars shall be paid to the
3 29 county registrar at the time the application for the
3 30 order is made, which fee is in addition to the fee
3 31 prescribed by law for the issuance of a marriage
3 32 license.

3 33 Sec. 4. NEW SECTION. 598.7B PARENTING PLANS.

3 34 1. Beginning October 1, 2004, the parties to a
3 35 petition for dissolution of marriage, annulment, or
3 36 separate maintenance that involves minor children or
3 37 to an application for a motion to modify an order
3 38 involving custody or visitation shall submit a
3 39 proposed parenting plan, either individually or
3 40 jointly, within thirty days after the service of
3 41 process of the petition for dissolution of marriage,
3 42 annulment, or separate maintenance, or the application
3 43 for a motion to modify an order involving custody or
3 44 visitation. The proposed parenting plan shall specify
3 45 the arrangements that the party believes to be in the
3 46 best interest of any minor child and shall specify
3 47 other details as required by rules prescribed by the
3 48 supreme court.

3 49 2. The supreme court shall prescribe rules no
3 50 later than September 1, 2004, establishing guidelines
4 1 for a parenting plan form which may be used by the
4 2 parties in any dissolution of marriage, annulment,

4 3 legal separation, or modification proceeding involving
4 4 the issues of custody and visitation. Beginning
4 5 September 1, 2004, the clerk of the district court
4 6 shall furnish parenting plan forms to the parties in a
4 7 dissolution of marriage, annulment, or separate
4 8 maintenance action or modification proceeding
4 9 involving custody or visitation, without cost to the
4 10 parties.

4 11 Sec. 5. EFFECTIVE DATE. The provision of the
4 12 section of this Act enacting section 598.7B that
4 13 directs the supreme court to prescribe rules regarding
4 14 the guidelines for parenting plans, being deemed of
4 15 immediate importance, takes effect upon enactment.>
4 16 #2. Title page, by striking line 1 and inserting
4 17 the following: <An Act establishing marriage and
4 18 domestic relations requirements and providing an
4 19 effective date.>

4 20

4 21

4 22

4 23 NEAL SCHUERER

4 24 SF 2258.501 80

4 25 pf/pj